

Appl. No. : 09/137,198
Filed : August 20, 1998

REMARKS

In response to the Office Action dated August 7, 2003, Applicant submits herewith a Petition for One-Month Extension of Time, an RCE and this Amendment. By the foregoing amendments, Claims 1, 8 and 14 have been amended and Claim 10 has been cancelled without prejudice or disclaimer.

Interview Summary

Applicant thanks Examiner Kumar and Supervisor Ghayour for their courtesy during the personal interview conducted on November 17, 2003. During the interview, we discussed independent Claims 1 and 8 and the Sumner reference. During the interview, it was agreed that adding the limitation of switching based on automatically determining whether voice or data is being transmitted would overcome the rejections in view of Sumner.

Rejections Under § 103

In the Office Action, each of the independent claims was rejected under § 103 as being unpatentable over Sumner in view of Beard.

By the foregoing amendments, Claim 1 has been amended to clarify that the mode selection circuit detects when the transceiver is transmitting a voice transmission and in response thereto selectively activates the direct sequence spread spectrum portion and deactivates the frequency hopping spread spectrum transmission. In addition, the mode selection circuit detects when the transceiver is transmitting a data transmission and in response thereto selectively activates the frequency hopping spread spectrum transmission portion and deactivates the direct sequence spread spectrum transmitter portion. As was discussed during the interview of November 17, 2003, this amendment overcomes this rejection.

Claim 8 has been amended to clarify the spread spectrum control signal system. Specifically, that section has been amended to define circuitry which is configured to recognize whether the transmission is voice or data and when the transmission is voiced to disconnect the frequency hopping sequence from the frequency generator and to couple the spreading code to the spreading code mixer in a first transmission mode. In addition, the spread spectrum control signal system detects when the transmission is data and disconnects the spreading code from the spreading code mixer and couples the frequency hopping sequence to the frequency generator in a second transmission mode. It was also discussed during the interview that this amendment would overcome the rejection under § 103.

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Though Claim 14 was not specifically discussed during the interview, it has similarly been amended to clarify that the mode selection means switches based on automatically determining whether voice or data is being transmitted. Applicant respectfully submits that this amendment should also overcome the rejection under § 103.

Because each of the independent claims has been amended to overcome this rejection under § 103, it is respectfully submitted that each of the claims which depend therefrom also now overcome the rejection under § 103.

Conclusion

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the capacity of the claims to particularly and distinctly point out the invention to those of skill in the art. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

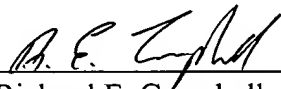
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/24/03

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